

EXHIBIT E  
ROBIN TERRAZAS DEPOSITION

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

ALBERT SIDNEY JOHNSTON	)	
CHAPTER NO. 2060, UNITED	)	
DAUGHTERS OF THE	)	
CONFEDERACY, ROBIN TERRAZAS,	)	
PRESIDENT, JEAN CAROL LANE,	)	5:17-CV-1072-DAE
FIRST VICE-PRESIDENT,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	
	)	
THE CITY OF SAN ANTONIO,	)	
	)	
Defendant.	)	
	)	

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ORAL DEPOSITION OF

ROBIN TERRAZAS

AUGUST 29, 2018

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THE ORAL DEPOSITION of ROBIN TERRAZAS,  
produced as a witness at the instance of the  
Defendant, and duly sworn, was taken in the above  
styled and numbered cause on Wednesday the 29th day  
of August, 2018 from 1:23 p.m. to 4:03 p.m., before  
PAMELA SUE PETERSON, Certified Shorthand Reporter in  
and for the State of Texas, reported by stenographic  
and computer-aided transcription, at the Law Office  
of Thomas J. Crane, 110 Broadway, Suite 420,  
San Antonio, Texas 78205, pursuant to the Federal

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1 have to ask you not to answer.

2 I mean, now you're getting into  
3 attorney-client privilege. You're asking her why her  
4 attorney advised her to become a party to the  
5 lawsuit.

6 Q. BY MR. FITZPATRICK: Let me just ask this.  
7 Are you making any separate claims on your  
8 individual -- in your individual capacity in this  
9 lawsuit?

10 A. I guess not, no. I mean, I'm here as a  
11 representative of the chapter. I'm not trying to  
12 separate myself.

13 Q. Okay. Well, actually, that saves a lot of  
14 time here.

15 So, then, let me ask you some questions  
16 about your -- your allegations here.

17 (Defendant's Exhibit T-1 was marked.)

18 MR. FITZPATRICK: I have marked as  
19 deposition Exhibit No. T-1, the copy of your third  
20 amended complaint.

21 Q. BY MR. FITZPATRICK: On Page 3, it's your  
22 allegation here that in March -- on March 27, 1899,  
23 the City Council granted to the Bernard (sic) Bee  
24 chapter the right to use the land in the center of  
25 Travis Park; correct?

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1 paragraph here -- that the City gave use of the land  
2 underneath the monument to the Bernard E. Bee chapter  
3 in perpetuity. Are you making that allegation?

4 A. Yes.

5 Q. And by "in perpetuity," what do you mean by  
6 that?

7 A. That it was a permanent -- it was given use  
8 permanently.

9 Q. Okay. And what is your understanding of  
10 whether or not the monument was intended to remain  
11 there permanently?

12 A. I know it was -- it was stated in 1999 when  
13 they rededicated the monument -- the Albert Sidney  
14 Johnson (sic) chapter rededicated the monument in  
15 1999. And the president at that time was Theresa  
16 Gold, and she -- she reported it having been in  
17 perpetu- -- whatever -- she used that word, too; that  
18 it had been granted to -- the chapter had been  
19 granted use of that land.

20 Q. Okay. I mean, is it your understanding  
21 that the chapter intended the monument to remain  
22 there forever?

23 A. Yes. Yes.

24 Q. Okay. So if you look at Exhibit T-2, is  
25 there -- can you find me any indication in there of

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1 A. Uh-huh.

2 Q. And I'm reading from Paragraph 5.

3 And would that be an interest that was --  
4 that is reflected in what I'm marking as deposition  
5 Exhibit No. 2?

6 (Defendant's Exhibit T-2 was marked.)

7 MR. FITZPATRICK: I really screwed up.

8 Here you go, Tom.

9 THE WITNESS: Okay. So the handwritten  
10 part you can't see at all, but -- so your question,  
11 again, was does this document reflect the claim that  
12 Barnard Bee chapter had the right to use the land?

13 Q. BY MR. FITZPATRICK: No, let me ask the  
14 question again.

15 Is this the -- is Exhibit T-2 a  
16 representation of what you have alleged to be an  
17 ordinance dated March 27, 1899, whereby the City of  
18 San Antonio granted to the Bernard Bee chapter the  
19 right to use the land in the center of Travis Park?

20 A. Yes.

21 Q. Okay. Is there any other document on which  
22 that claim is based?

23 A. No.

24 Q. Okay. So you also allege that the City  
25 gave in the same -- I'm sorry -- I'm in the same

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1 the type of permanence that you've just testified to?

2 A. I don't see anything that says until any  
3 certain condition exists that it would be removed.  
4 It's a large statue. I can't imagine that the City  
5 would have said, "Okay, here, you can put this statue  
6 here and we expect it to be removed at some point,"  
7 considering the size of it.

8 Q. Okay. The language in Exhibit T-2 does not  
9 use the term "perpetual," does it?

10 A. No, it does not.

11 Q. Okay. It doesn't say "forever"?

12 A. It doesn't say any limitations.

13 Q. Okay. Well, and what exactly were the  
14 Daughters of the Confederacy asking for, according to  
15 Exhibit T-2?

16 A. Permission to erect a monument in Travis  
17 Park.

18 Q. Anything else?

19 A. I don't see anything else, no.

20 Q. Okay. Where is Bernard E. Bee mentioned  
21 here?

22 A. It is not mentioned here, but the petition  
23 was written by Barnard E. Bee.

24 Q. Do you have a copy of the petition?

25 A. I don't remember.

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1 A. Right.  
 2 Q. All right. Moving back one page to  
 3 Page 52, we have an August 28th e-mail?  
 4 A. Uh-huh.  
 5 Q. And that obviously was prerule; correct?  
 6 A. Uh-huh.  
 7 Q. All right. And RT51 is dated August 7th,  
 8 that is also prerule?  
 9 A. Uh-huh.  
 10 Q. That's an e-mail from you to various --  
 11 A. Council members, uh-huh.  
 12 Q. Yeah.  
 13 And RT50 appears to be the same thing as  
 14 RT53.  
 15 A. Yeah, it does.  
 16 Q. To me. Does it appear so to you?  
 17 A. Uh-huh, just the print looks smaller.  
 18 Q. Yeah.  
 19 And then the first page of the packet,  
 20 RT49, to me -- well, it's different than -- yeah,  
 21 that's a separate e-mail; correct?  
 22 A. From September 5th to September 1st?  
 23 Q. Yeah. RT49 is not duplicated anywhere else  
 24 in Exhibit T-3, is it?  
 25 A. I don't think so.

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1 Q. All right. So do you recall having sent  
 2 any other e-mails to the City, besides the ones that  
 3 I have here, except for the ones that were exchanged  
 4 with the -- with the Clerk's office?  
 5 A. Not that I recall.  
 6 Q. Okay. So I want to take you to the first  
 7 one that you sent. It was August 7th, and it's RT51.  
 8 A. I'm sorry, RT --  
 9 Q. RT51.  
 10 A. Okay.  
 11 Q. So there's handwriting at the top  
 12 that says, "To all Council members"?  
 13 A. Uh-huh.  
 14 Q. Whose handwriting is that?  
 15 A. That looks like mine.  
 16 Q. Okay. And then there's a "Yoakum National  
 17 Bank"?  
 18 A. I have no idea what that is there for.  
 19 Q. Okay. Did you put that there?  
 20 A. No.  
 21 Q. Okay. It just ended up there?  
 22 A. I don't even know what that is.  
 23 Q. Okay. What was the purpose -- what was  
 24 your purpose in sending this e-mail?  
 25 A. You know, I think I felt like the Council

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1 members maybe didn't understand the true meaning of  
 2 the monument, and that they needed to know that. No  
 3 one had ever asked us, and so I -- I sent this,  
 4 hoping that receiving the correct information from  
 5 the organization that placed the monument there would  
 6 be helpful in making a fair decision about what it  
 7 was they were trying to do.  
 8 Q. This was educational?  
 9 A. Yes.  
 10 Q. Okay. You don't indicate anywhere in this  
 11 e-mail that you believed that your organization owned  
 12 the monument, do you?  
 13 A. Not in that. No.  
 14 Q. Or that your organization owned the time  
 15 capsule; correct?  
 16 A. We -- I never mentioned the time capsule  
 17 because I was concerned about its safety; so that, I  
 18 didn't mention until they started taking it down.  
 19 And I tried calling to inform them that the time  
 20 capsule existed before something would happen to it.  
 21 Q. So prior to removal there was never any  
 22 assertion of ownership of the time capsule --  
 23 A. No mention of the time capsule at all.  
 24 Q. Okay. And in this Exhibit T-3, Page RT51,  
 25 you don't indicate that your chapter owns any

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1 property in Travis Park either?  
 2 A. Not in these e-mails. I had communication  
 3 with Jackie Salvador; and my understanding was that  
 4 this information was going to -- was going to the  
 5 City. So I kind of saw it separate communication,  
 6 that these e-mails were to try to educate on the  
 7 meaning of the monument. And that the legal aspect  
 8 of it was already being addressed through the  
 9 information that I was sending to the Archives  
 10 Department.  
 11 Q. Okay. So there is nothing in the e-mail  
 12 that you sent to the Council members indicating that  
 13 your chapter was asserting an ownership interest in  
 14 the park?  
 15 A. No, I -- no.  
 16 Q. Okay. And is it your belief that your  
 17 e-mail -- the e-mails that you exchanged with  
 18 Miss Salvador indicated an assertion by you that your  
 19 chapter owned some type of a possessory interest --  
 20 A. Yes.  
 21 Q. -- in Travis Park?  
 22 A. Yes.  
 23 Q. And is it -- is it your testimony that the  
 24 e-mails that you exchanged with Miss Salvador also  
 25 expressed your contention that the chapter had an

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1 ownership interest in the monument itself?

2 A. I'd have to look back at that. I don't

3 remember the ...

4 Q. Okay.

5 A. But I definitely made it clear that we had

6 an interest in it. I don't remember if there was --

7 ownership was ...

8 Q. Okay. The next page of T-3 is RT52. And

9 that was another prerule e-mail from you to the

10 City's decision-makers; is that correct?

11 A. Yes.

12 Q. Okay. Was the purpose of this e-mail

13 different than the purpose of your August 7th e-mail?

14 A. I would say it was different, yes.

15 Q. Okay. So what was the purpose of this one

16 that was different than the purpose of the August 7th

17 e-mail?

18 A. I just got -- I felt by this time that it

19 didn't seem to matter to them what the truth of the

20 monument was; and that what they were basing their

21 decision on had more to do with their own

22 interpretation of what they thought about the

23 monument and the people who put it there. And I felt

24 that they were basing it on racism, which did not

25 exist.

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1 Q. Okay. Do you think that there can be more

2 than one interpretation of what the monument means?

3 A. Depending on what you know about the

4 monument.

5 Q. Even with perfect knowledge, do you think

6 there can be differing interpretations?

7 A. For as many individuals as there are in

8 this world, that's how many opinions and views there

9 will be in this world.

10 Q. Okay. So apparently by the time that you

11 wrote this e-mail it appeared to you -- and I'm going

12 off of the first sentence of the text of the

13 e-mail -- that you believed that the City had decided

14 to move the statue from Travis Park anyway; is that

15 more or less true?

16 A. That's the way it was looking.

17 Q. Okay. And you advised -- if you look about

18 two-thirds of the way down the text, there's a

19 sentence that begins on the right with "You are

20 joining into a very dangerous practice"?

21 A. Uh-huh.

22 Q. So what is it that -- what is it that you

23 think the City was missing there?

24 A. I think they were trying to blame what

25 happened in Charlottesville, or use that incident as

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1 a reason to move this one.

2 And if that was the case, then what they

3 were saying was that we will give into violence. If

4 people want to be violent in order to get what they

5 want, that they would be willing to give into that.

6 And that's dangerous, because if you are

7 going to allow violence to rule rather than stand up

8 and say, "Let's bring the two sides together. Let's

9 have an understanding. Let's not jump into something

10 here," then really you're empowering those people who

11 are being violent.

12 Q. You go on to say that -- that "The war was

13 really one of independence"?

14 A. Yes.

15 Q. And what do you mean by that?

16 A. I mean that the war -- the war

17 started -- the war -- the war between the States or

18 the Civil War was not started over slavery.

19 President Lincoln and Jefferson Davis both stated

20 that the war was not about slavery. Lincoln wanted

21 to hold the Union together, and Davis wanted the

22 States' rights. There were issues that they were

23 fighting over. Did slavery exist? Yes. Did it

24 become a part of the war? Yes. But that's not why

25 the war was started.

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1 Q. Okay. So four lines, five lines up from

2 the bottom, you indicate that "The monument

3 represents a time that none of us wants to live"?

4 A. Uh-huh.

5 Q. I'm not sure what you meant by that. Could

6 you explain that?

7 A. Well, none of us wants to get into a civil

8 war. None of us wants to have to fight brother

9 against brother or father against son. And, of

10 course, none of us wants to see slavery. That's not

11 an acceptable thing.

12 Q. Okay. I -- that makes perfect sense. I

13 just don't think that I read that clearly when I read

14 it.

15 But you go on to say that "The monument

16 honors those who died for what they believed in"?

17 A. Yes.

18 Q. "And it was not slavery that they were

19 fighting for"?

20 A. Right.

21 Q. Okay. So it would matter, then, what the

22 reason was for -- you know, for the war itself, in

23 that respect?

24 A. I'm sorry. What --

25 Q. Okay. You were explaining earlier what you

11 (Pages 38 to 41)

## Exhibit T3



From: Robin Terrazas roblntmusic@aol.com  
Subject: Fwd: UDC Monument belongs to our chapter, not the city  
Date: October 16, 2017 at 9:22 PM  
To: tom@cranelawyer.net, jd@jdrewwylaw.com



-----Original Message-----

From: Robin Terrazas <roblntmusic@aol.com>  
To: ron.Nirenberg <ron.Nirenberg@sanantonio.gov>; bruce.davidson  
<bruce.davidson@sanantonio.gov>; Maria.cesar <Maria.cesar@sanantonio.gov>; citymanager  
<citymanager@sanantonio.gov>  
Sent: Tue, Sep 5, 2017 1:02 pm  
Subject: UDC Monument belongs to our chapter, not the city

Mayor Nirenberg,

The one and only time you have acknowledged my attempts to reach you was the night prior to your vote regarding the UDC monument in Travis Park. You shook my hand and assured me you would include us in the relocation of the monument. The next day you voted to move it and immediately began the process without any communication with me. Though you may have had the right to no longer house the monument at Travis Park (which is still questionable considering no proof of deed was ever produced), you did not have the right to move it without coordination with the UDC chapter in San Antonio who was named successor of the Barnard Bee chapter that placed the monument. Our organization was given permission by the city in 1899 to place the monument which it paid for (both the monument and all costs associated with placement). At no time was the monument given to the city. Furthermore, as I have communicated to your policy advisor by voicemail the night of removal and the following morning, there is a time capsule that rightfully belongs to us that should not be disturbed without our planning and involvement. I have also communicated this to you via email on Friday as crews continued working on the removal. No one has answered my concerns. I do not believe the city has the right to decide what happens to the monument and must be held responsible for it remaining in good condition. I feel it is important that our organization is allowed to see the monument to assess its condition. Any further movement of the monument should be coordinated with the Albert Sidney Johnston 2060 chapter of the UDC and paid for by the city who prematurely moved it. I have most recently tried calling your office this morning with no response from you.

Robin Terrazas  
Chapter President, Albert Sidney John: ton 2060, UDC  
210-273-7418

RT000053

EXHIBIT F  
ROBERT SCHLITZBERGER REPORT



Daughters of the Confederacy

Travis Park Monument

San Antonio, Texas

To formulate a reasonable estimate as to the current value of the monument, the following prices are taken into equation:

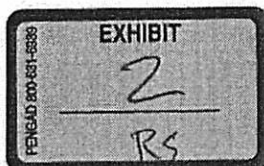
Pedestal	\$95,984
Statue of Soldier	\$82,228
Freight & Crating	\$10,000
Foundation & Soil Test	\$20,000
Assembling Monument	<u>\$42,000</u>
Material Expenses in total	\$250,212
Tax if applicable	<u>\$20,642</u>
Subtotal	\$270,854
Administrative Fee	<u>\$67,713</u>
Total Installed	<u>\$338,567</u>

I have reviewed all the information available and certify that this is a fair market price.

*Robert C. Schlitzberger*

Robert C. Schlitzberger CM, AICA

7/18/18



ASJ00474

RCB

**Confederate Statue at Travis Park in San Antonio**

The 1890's cenotaph was sculptured from fine grained dark gray granite probably from the now defunct Burnet, Texas Quarry. Creation of the piece was by Frank Teich (reference: Wikipedia), one of the most sought after artisan of his time and is still revered by modern sculptors. Overall height of 38 feet and consisting of 21 pieces of stone and with an estimated weight of 42 tons (84,000 lbs), the piece was created at Mr. Teich's studio and moved to the Travis Park site where skilled workmen would have adjusted and fitted the stones together in place. Most of the granite sculpturing was chisel work by hand. Only the two vertical polished shafts would have been finished to size using a gang saw. The stone with the wreath and the stone with the garland and stars are both fine examples of the skilled craftsman's abilities but the statue is the definitive portion of the piece and truly highlights the expertise of Mr. Teich. Sadly it appears to have been damaged recently as parts of the rifle have been epoxied together and that epoxy appears to be very new. The end of the rifle barrel was not with the rest of the stones and could be lost.

This is as comprehensive of a report that could be made considering that some pieces were crated, the temperature of the warehouse in which it was stored and the limited amount of time that we were allotted for inspection.

ASJ 00475

RCS

Time Capsule, Etc.

Typical of public memorials of that era, there is a time capsule in the base. One of the corner pieces appears to have had a chiseled recess in which a metal and glass box had been placed and covered in concrete. Upon our inspection the concrete covering the top of the box had been removed and the interior of the box exposed. In my opinion the concrete covering the box was broken during the dismantling of the monument. I'm not sure that the crew doing the dismantling would have recognized the time capsule for what it was, not taking any precautions to document and safeguard any contents. The possible lack of knowledge as to the handling of memorials of this nature was evident in other areas. Obviously the broken rifle and its repair testify to that, but the use of a grinder on the joint line of the vertical shaft was evident. Also, there were holes drilled and pins hammered or screwed into most of the granite above the first sub base. A lifting device was then attached to these pins allowing the stone to be moved. This was totally unnecessary and actually could have compromised the integrity of the stones. These same stones had, had chiseled out holes in their tops in which a Lewis pin was inserted for the purpose of safely handling of the granite. It appears the dismantling crew used new holes and new pins to lift the stone, when they could have simply used the old holes and a Lewis pin. The concern would be that if the new

ASJ 00476

pins were used again, there could be some cracking of the stone. Again, I don't believe the dismantling crew would have been knowledgeable enough to recognize the chiseled out holes for what they where.

Robert Schlitzberger  
7/9/18

ASJ 00477

EXHIBIT G  
EVA LONG AFFIDAVIT

AFFIDAVIT

“My name is Eva Breed Long; I am over the age of eighteen, and am capable of providing this statement and affidavit.

“I am providing this statement and affidavit of my own personal knowledge, freely and willingly, as part of a lawsuit filed by the Albert Sidney Johnston chapter, No. 2060 against the City of San Antonio.

“I was President of the Texas Division from 2016 to 2018. I have been a member of the UDC since 1981 and have held various positions at the chapter and state level. As President, it was part of my responsibility to become familiar with UDC by-laws and requirements at the state and national level. The Texas Division is the parent organization for the Albert Sidney Johnston 2060 chapter. We were also the parent organization for the Barnard E. Bee 86 chapter prior to its dissolution in 1972.

“The Bee chapter disbanded in 1972. At the time, it transferred its assets and any property interest to the Albert Sidney Johnston 2060 chapter. On January 20, 1972, the president of the Barnard E. Bee 86 chapter presented the president of the Albert Sidney Johnston 2060 chapter with a certified copy of the City of San Antonio Ordinance, which we at state level considered to be a transfer of that property.

“That property transferred included, but was not limited to the monument, its base and the contents in either the base of the monument, and the Time Capsule. As far as the Texas Division was concerned, the Bee chapter transfer of assets complied with state and national requirements. The Bee 86 chapter did everything it needed to do to transfer its assets to the ASJ 2060 chapter.

“The Texas Division is a registered 501(c)(3) organization which is able to accept donations. The Texas Division is registered with the state of Texas. The individual chapters are also 501(c)(3) organizations under the Texas Division umbrella.



"I declare under penalty of perjury that the above statement is true and correct. I have been given an opportunity to review this statement and to make any necessary changes."

Signed on 5/13/2019, 2019.

DocuSigned by:  
*Eva Long*  
f10d8c1d10b4c32A

Eva Breed Long  
Ex Division President  
Texas Division, United Daughters of  
the Confederacy